

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**COTAPAXI CUSTOM DESIGN
AND MANUFACTURING, LLC,**

Plaintiff,

v.

**CHASE BANK USA, N.A., and
JOHN DOES 1-100**

Defendants.

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Civil Action No. 2:17-CV-04292-CLW

**[PROPOSED] PRETRIAL SCHEDULING
ORDER**

THIS MATTER having come before the Court for a scheduling conference pursuant to Rule 16 of the Federal Rules of Civil Procedure on November 8, 2017, and the parties having reviewed the Court's Civil Case Management Order as well as the Local Civil Rules, and for good cause shown,

IT IS on this day of _____,

ORDERED THAT the next event in this matter will be a status conference set for 14 days after this Court rules on Chase's pending motion to dismiss, or as soon thereafter as practicable for the Court and the parties.

FURTHER ORDERED that this matter will proceed as follows:

- 1. Fact Discovery Deadline.** Fact discovery is to remain open through August 31, 2018. All fact witness depositions must be completed by the close of fact discovery. No discovery is to be issued or engaged in beyond that date, except upon application and for good cause shown.
- 2. Motions to Add New Parties.** Any motion to add new parties, whether by amended or third-party complaint, must be electronically filed no later than June 30, 2018. No motion for leave to add new parties may be filed after that date except if the Court grants leave to file such a motion.
- 3. Motions to Amend Pleadings.** Any motion to amend pleadings must be electronically filed no later than June 30, 2018. No motion for leave to amend the pleadings may be filed after that date except if the Court grants leave to file such a motion.
- 4. Rule 26 Disclosures.** The parties shall exchange disclosures pursuant to Rule 26 no later

than January 31, 2018.

5. **Interrogatories.** The parties may serve interrogatories beginning on February 28, 2018, which shall be responded to within 30 days, absent agreement by the parties to an extension of the presumptive response date.
6. **Document Requests.** The parties may serve requests for production of documents beginning on February 28, 2018, which shall be responded to within 30 days, absent agreement by the parties to an extension of the presumptive response date.
7. **Depositions.** The number of depositions to be taken by each side shall not exceed six without leave of Court.
8. **Electronic Discovery.** The parties are directed to Rule 26(f), as amended, which, *inter alia*, addresses preservation of discoverable information, discovery of electronically stored information, and claims of privilege or work product protection. The parties are also directed to Local Civil Rule 26.1(d) which describes the obligations of counsel with regard to their clients' information management systems.
9. **Discovery Disputes.** Please refer to the Court's Civil Case Management Order.
10. **Motion Practice.** Please refer to the Court's Civil Case Management Order.
11. **Expert Reports.** The parties do not anticipate engaging in expert discovery at this time, but the parties reserve their rights to engage in expert discovery should such discovery become pertinent after further analysis of the claims and defenses at issue. If the parties choose to engage in expert discovery, Plaintiff's expert report(s), if any, shall be delivered by September 30, 2018. Defendant's expert report(s), if any, shall be delivered by November 15, 2018. Plaintiff's rebuttal expert report(s), if any, and which may not offer new opinions but must be limited to responding to issues raised in Defendant's expert reports, shall be delivered by December 1, 2018. Depositions of all experts to be completed by December 21, 2018.
12. **Form and Content of Expert Reports.** All expert reports must comport with the form and content requirements set forth in Rule 26(a)(2)(B). No expert shall testify at trial as to any opinions or base those opinions on facts not substantially disclosed in the expert's report.
13. **Extensions and Adjournments.** Please refer to the Court's Civil Case Management Order.
14. **Protective Orders.** The parties will meet and confer regarding a stipulated protective order to govern the production of any confidential documents. Any proposed confidentiality order agreed to by the parties must strictly comply with Rule 26(c), Local Civil Rule 5.3, and applicable case law. Please also refer to the Court's Civil Case Management Order.
15. **Local Rules.** The parties are directed to the Local Civil Rules for any other matter not

addressed by this Order or the Court's Civil Case Management Order.

16. **FAILURE TO COMPLY WITH THE TERMS OF THIS ORDER OR ANY OTHER ORDERS WILL RESULT IN SANCTIONS.**

CATHY L. WALDOR
United States Magistrate Judge